

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Motoyuki FUJIMORI et al.

Application No.: 09/362,623

Filed: July 28, 1999

For: PROJECTION TYPE LIQUID CRYSTAL PROJECTOR



Group Art Unit: 2851

Examiner: W. Dowling

Docket No.: 103614.99

SUBMISSION OF SUBSTITUTE REISSUE DECLARATION

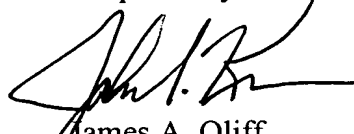
Director of the U.S. Patent and Trademark Office
Washington, D. C. 20231

Sir:

Submitted herewith is a fully executed Substitute Reissue Declaration of the Inventors. Entry of this document should resolve any informalities in the original Reissue Declaration.

It is respectfully submitted that no additional fees are required for the substitute Reissue Declaration. However, the Director is hereby authorized to charge any additional fee associated with this communication to deposit account number 15-0461.

Respectfully submitted,


James A. Oliff
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JAO:JSK/kap

Date: September 25, 2000

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REISSUE PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Broadening Reissue Application of

Motoyuki FUJIMORI, Toshiaki HASHIZUME, Kenji IGUCHI and Kiichi OKUMURA

Application No.: Reissue Application of U.S. Patent No. 5,651,599 issued July 29, 1997
(U.S. Patent Application Serial No. 08/394,308 filed February 24, 1995)

Filed: July 28, 1999

Docket No.: 103614.99

For: PROJECTION TYPE LIQUID CRYSTAL PROJECTOR

REISSUE DECLARATION

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

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We, Motoyuki FUJIMORI; Toshiaki HASHIZUME; Kenji IGUCHI; and Kiichi
OKUMURA, hereby declare that:

1. We are citizens of Japan with the addresses as stated below next to our names.
2. We have reviewed and understand the contents of the specification, including the claims, as amended by any amendment specifically referred to in the Oath/Declaration.
3. We believe that we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought and that is described and claimed in the reissue application and in U.S. Letters Patent No. 5,651,599, which issued from U.S. Patent Application No. 08/394,308 filed February 24, 1995, which is a Division of U.S. Patent Application No. 07/938,261 filed October 21, 1992 (now U.S. Patent No. 5,418,586).
4. We claim the priority benefits of the following applications:

Japanese Patent Application No. 3-28430 filed February 22, 1991;

Japanese Patent Application No. 3-59137 filed March 22, 1991;

Japanese Patent Application No. 3-137633 filed June 10, 1991;

Japanese Utility Model Application No. 3-49295 filed June 27, 1991;

Japanese Patent Application No. 3-156408 filed June 27, 1991; and

Japanese Patent Application No. 3-156422 filed June 27, 1991.

5. We acknowledge our duty to disclose information which is material to the examination of this reissue application in accordance with 37 C.F.R §1.56(a).

6. We consider U.S. Patent No. 5,651,599 to be partly inoperative by reason of (1) claiming less than we had a right to claim because the original claims are unduly limited and may not provide an adequate scope of protection, and (2) errors in claim 2 which render claim 2 inconsistent with the original disclosure.

7. Claim 2 is not completely consistent with the original disclosure in that claim 2 recites "cooling fans being positioned in a plane over a surface on which said image forming liquid crystal light valves are secured." (Emphasis added). However, the original disclosure teaches, for example, at col. 10, lines 49-50, "a fan 60 for drawing outside air is disposed below the chassis 8b." (Emphasis added). Figs. 13-15 show, and the original disclosure teaches at col. 15, lines 44-45, a "cooling fan 66 is disposed below the red color type liquid crystal light valve 7b." Thus, Claim 2 is corrected to recite "a fan" located in a plane "below" a surface. Additionally, applicants should not be limited to only multiple cooling fans. Further, the position of the cooling fan should be clarified as being positioned below the light valves.

8. Additionally, claim 1 in its present form unduly limits the scope of protection afforded Applicants' invention. Specifically, patent claim 1 recites "said color separating means, said image forming liquid crystal light valves, and said image synthesizing means being secured to a top surface of a box-shaped lower chassis by fixing members." (Emphasis

added). However, patent claim 1 is unduly limited in that the invention encompasses securing these elements relative to a first wall of the lower chassis.

9. Additionally, we consider U.S. Patent No. 5,651,599 to be partly inoperative by reason of an error in inventorship. In particular, Keisuke SAKAGAMI was inadvertently listed as an inventor of the patent. We agree that Mr. SAKAGAMI should be deleted as an inventor of the patent.

10. All errors being corrected in this reissue application up to the time of filing this declaration arose without any deceptive intention on our part.

11. We hereby revoke all prior powers of attorney and appoint the following as our attorneys of record with full power of substitution and revocation to prosecute this application and to transact all business in the Patent Office:

James A. Oliff, Reg. No. 27,075; William P. Berridge, Reg. No. 30,024;

Kirk M. Hudson, Reg. No. 27,562; Thomas J. Pardini, Reg. No. 30,411;

Edward P. Walker, Reg. No. 31,450; Robert A. Miller, Reg. No. 32,771;

Mario A. Costantino, Reg. No. 33,565; and Caroline D. Dennison, Reg. No. 34,494.

All correspondence in connection with this application should be sent to Oliff & Berridge, PLC, P.O. Box 19928, Alexandria, Virginia 22320, telephone (703) 836-6400.

12. We have reviewed and understand the contents of this reissue declaration, and all statements made herein of our knowledge are true, and all statements made on information and belief are believed to be true; and further these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the U.S. Code and that such willful false statements may jeopardize the validity of the application or any patent reissued thereon.

Date: 5 / Sept. / 2000

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